



## **MINUTES**

**Meeting of Committee on Public Service  
Friday, May 20, 2016 @ 3:30 p.m.  
Tenth Floor Conference Room – Lansing City Hall**

### **CALL TO ORDER**

The meeting called to order at 3:50 p.m.

### **ROLL CALL**

Councilmember Kathie Dunbar, Chair  
Councilmember Patricia Spitzley, Vice Chair  
Councilmember Adam Hussain, Member

### **OTHERS PRESENT**

Sherrie Boak, Council Staff  
Chris Mumby, Public Service  
Chris Swope, City Clerk  
Bret Taylor, Public Service  
Billie O'Berry, Assistant City Attorney – arrived at 4:19 p.m.  
Pat Krawczynski  
Deb Parrish  
Chris Chambers  
Nena Sheth  
Eric Ripper  
Pastor Coy Bouyer

### **MINUTES**

MOTION BY COUNCIL MEMBER SPITZLEY TO APPROVE THE MINUTES OF APRIL 15, 2016 WITH THE CORRECTION CLARIFYING "Council Member Spitzley asked Mr. Taylor if it is legal to pump water from your sump pump to the street, and Mr. Taylor answered no and Council Member Spitzley asked Mr. Taylor to forward the address to her so Council can investigate.". MOTION CARRIED 3-0.

**Discussion/Action:**

**Snow and Ice Assessments**

**33-01-01-29-255-081 1312 W Rundle**

Mr. Mumby informed the Committee that after further review by the Department they were recommending the assessment for this property be removed due to sufficient evidence. The Committee consensus confirmed removal.

Council Member Dunbar outlined the process for the Committee. Mr. Mumby apologized beforehand for some of the photos and stated they are continuing to better the process.

**33-01-01-29-177-311 1701 Loraine Avenue**

Ms. Chambers stated she was not aware of the notice until she found it behind some landscaping in March. Mr. Mumby informed the Committee that this area was instigated by a resident that called into complain of properties in the Colonial Village. The Committee reviewed the photos and asked Mr. Mumby for a history of the violations. Mr. Mumby confirmed it was the first complaint on the property, there was a 1" of snow with a temperature of 42, but a low of 28 so salt would not have worked. There was 3 days between when the property was tagged and when the contractor cleared it. Council Member Hussain asked how the notices are attached, and he was informed they install them using packing tape. The Committee discussed the situation, the complaint driven concern with multiple violations in the area and determined to waive a portion of the fee.

Council Member Spitzley asked how many crews are out at one time. Mr. Mumby noted there are 5-6 groups a day, of two-person crews. One drives the vehicle, the other documents and places the violation tags. The complaint rate of these violations is usually 60-70% of the notices posted.

**MOTION BY COUNCIL MEMBER SPITZLEY TO WAIVE THE ADMINISTRATIVE FEE SINCE IT WAS THE FIRST VIOLATION AND MINIMAL IMPACT.**

Council Member Dunbar confirmed in the past it was determined to be more appropriate to waive the service fee and enforce the administrative fee since that fee addresses everything including preparation for this meeting.

**MOTION WAS AMENDED BY COUNCIL MEMBER SPITZLEY TO WAIVE THE SERVICE PORTION AND ASSESS THE ADMINISTRATIVE FEE OF \$79. MOTION CARRIED 3-0.**

Ms. Chambers asked if she could pay now, and Mr. Mumby clarified it was not a bill, but she could pay as soon as the assessment was finalized.

**33-01-01-20-485-102 1030/1032 W Mt Hope**

Ms. Krawczynski acknowledged the Polish Hall got the notice for the hearing, however since their organization only meets monthly they did not open the mail until the hearing date had passed. Mr. Mumby went thru the history of the notice and violation which occurred on March 1<sup>st</sup> with 7" of snow, a notice tagged on March 3<sup>rd</sup>, and then cleared by contractor on March 5<sup>th</sup>. The Committee reviewed the photos and discussed weather, temperatures, and snow fall. Council Member Dunbar asked if the Committee could even take action since the appeal did not meet the deadline. Mr. Mumby acknowledges the appeal has to be made before close of the hearing to be considered. Those that aren't appealed go on the tax roll, then they can appeal to tax tribunal. Council Staff made attempts to contact the City Attorney office to send an attorney to the meeting to answer the question. While they waited for Law the Committee discussed location, distance from a bus stop, and time frame on the citation, and other areas in the photos. Council Member Dunbar asked for the consensus of the Committee if they

could waive the appeal deadline. Council Member Hussain acknowledged his understanding of the appeal deadline, but would consider waiving the fee if the appeal deadline can be waived for this case. The Committee moved onto other cases until the City Attorney office could arrive and answer the question. Ms. Krawczynski gave her phone number to Mr. Mumby for him to contact her if the City Attorney office made a determination.

**33-01-05-05-356-162 6031 S ML King Jr. Blvd.**

The Committee reviewed the photos and the two hour time line between the before and after photos.

Ms. O'Berry arrived at 4:19 p.m.

Pastor Bouyer outlined their practice on cleaning the sidewalk and reviewed the photos. The Committee discussed the snow fall at the time, and notification. Mr. Taylor noted that on his spreadsheet it appears it snowed every day during the time frame noted (January 20). It also appears it was complaint driven on January 14<sup>th</sup>, posted January 15<sup>th</sup> and cleared on January 20<sup>th</sup>. Pastor Bouyer asked where the notices are left, and also acknowledged that he was not aware of the ordinance on clearing. Mr. Mumby informed Pastor Bouyer the notices are placed on any visible front door, entrance or where tracks are. The Pastor was then informed of a free email service that he can sign up for with Public Service that offers the list of posted properties so he can check to see if his property is on the list. The Committee asked why it took 2 hours to clear. Mr. Mumby referred them back to the photos and site plan noting it is a large parcel. The Pastor admitted it sometimes takes him 40 minutes to clear it.

MOTION BY COUNCIL MEMBER HUSSAIN TO REDUCE THE ASSESSMENT TO ONE HOUR WITH ADMINISTRATIVE FEES, MAKING THE NEW ASSESSMENT AT \$289.00. MOTION CARRIED 3-0.

**33-01-01-20-485-102 – 1030/1032 W. Mt. Hope**

Council Member Dunbar outlined the property, appeal and question for Ms. O'Berry. Ms. O'Berry stated if the hearing date was set by resolution not by Ordinance it can be waived. Council Member Spitzley stated her concern with setting precedence. The Committee then reviewed the Ordinance on the Snow and Ice Assessments, and based on the discussion on the time line noted in the Ordinance, the appeal did miss the deadline and therefore the Committee consensus was to keep the assessment as it was written in the roll.

Ms. Parrish spoke in opposition to the way the City enforces along Cedar Street and the Green Lawn area. Ms. Parrish was encouraged to provide specific addresses when she calls in and also to be added to their email list so she will know when they are enforcing the area.

Council Member Dunbar asked if Public Service could post a tag when they clear so the owners are aware it was the City that cleared. Mr. Mumby did not prefer to post another notice, but would do if Council directed.

**33-01-01-08-407-271 1121 N ML King Jr. Blvd**

After review of the appeal the Committee determined to keep the assessment at \$149.00

**33-01-01-09-304-064 526 W Maple Street**

The consensus of the Committee was to keep the assessment at \$149.00

**33-01-01-09-479-051 Center Street**

After review of the appeal the Committee consensus was to keep the assessment at \$149.00

**33-01-01-10-158-051 E Grand River**

After review of the appeal the Committee consensus was to keep the assessment at \$149.00

**33-01-01-11-202-181 1600 Chester Road**

The Committee reviewed the appeal, and did take note it was the first offense in 15 years, however there was 7 days between the notice date the date of the clearing by the contractor. The Committee consensus was to keep the assessment at \$219.00

**33-01-01-17-127-161 1525 W Saginaw**

The appeal of the owner stated it was purchased March 18, 2016 which was after the date of violation, however Ms. O'Berry clarified for the Committee that the assessments run with the property. Mr. Mumby also noted that title companies do contact their offices to determine if there are pending assessments such as in this case. The Committee consensus was to keep the assessment at \$149.00

**33-01-01-17-205-171 511 N ML King Jr Blvd.**

Consensus by the Committee was to keep the assessment at \$149.00

**33-01-01-17-227-231 723 W Saginaw**

The Committee reviewed the pictures and agreed it was cleared, but not wide enough for access. Consensus by the Committee was to keep the assessment at \$149.00

**33-01-01-17-231-071 1026 W Shiawassee St**

The Committee reviewed the pictures and agreed it was cleared, but not wide enough for access. Consensus by the Committee was to keep the assessment at \$219.00

**33-01-01-27-359-015 3301 S Pennsylvania**

The Committee reviewed the appeal which stated they wanted it mailed to someone else, however the Ordinance clearly states it must be mailed to the property owner. It was suggested that Public Service staff inform them of their email notification process. Council Member Dunbar encouraged Public Service staff also to include the email notification process in all the final notice/bills. Consensus by the Committee was to keep the assessment at \$219.00.

Council Member Hussain asked for research to be done on how many offenders are repeat offenders every year.

**33-01-01-28-205-162 2200 S Cedar**

The Committee reviewed the photos and Mr. Mumby noted that there were multiple violations, however they always cleared before the contractor had to come back out. Therefore they were only caught for one violation on January 15, 2016. Consensus by the Committee was to keep the assessment at \$149.00.

**33-01-01-29-155-081 2419 Wellington Rd.**

Consensus by the Committee was to keep the assessment at \$149.00.

**33-01-01-31-479-291 4732 Pleasant Grove Rd**

Mr. Mumby pointed out the property had multiple code complaints, and a violation in 2014 it appeared they were never charged with. Consensus by the Committee was to keep the assessment at \$149.00

Mr. Taylor informed the Committee that when someone who received notification asks to see before and after photos they forward them to them.

**33-01-01-32-351-161 Pleasant Grove Rd**

Consensus by the Committee was to keep the assessment at \$149.00

**33-01-01-33-252-191 3700 S Cedar**

The Committee reviewed the photos and history which appeared to represent annual complaints. Consensus by the Committee was to keep the assessment at \$149.00

**33-01-05-05-126-101 5528 S ML King Jr Blvd.**

The Committee reviewed the appeal letter which stated it was not his property, however Public Service determined it was. It was also noted that there were two violations, however since the snow melted there was only one notice from January on the list. Consensus by the Committee was to keep the assessment at \$149.00

**33-01-05-05-356-002 6081 S ML King Jr Blvd**

**33-01-05-05-356-192 6071 S ML King Jr. Blvd**

The Committee reviewed the appeal and photos, and Mr. Mumby confirmed the owner also got a copy of the photos. The consensus by the Committee was to keep both assessments at \$149.00.

**33-01-01-20-486-101 1016 W Mt Hope Ave.**

The Committee reviewed the email appeal and determined this appeal missed the deadline required, therefore no consideration was given, and the assessment will stay at \$149.00.

MOTION BY COUNCIL MEMBER SPITZLEY TO ACCEPT THE ASSESSMENT ROLL WITH THE CHANGE TO 1701 LORAIN TO \$79, REMOVAL OF THE ASSESSMENT FOR 1312 RUNDEL AND CHANGING THE AMOUNT FOR 6031 S. ML KING JR. BLVD. TO \$289.  
MOTION CARRIED 3-0.

Council Member Dunbar acknowledged the Public Service Department for all their research, diligence in tracking, and materials provide to allow Council to make their determinations.

**ADJOURN**

The meeting was adjourned at 5:18 p.m.

Submitted by, Sherrie Boak,

Recording Secretary

Lansing City Council

Approved: August 5, 2016